

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 620-139

C# M#

BLUNDELL et al.

JUL 09 2004

TC/A.U.

1652

Serial No. 09/820,745

Examiner: NASHED, Nashaatt

Filed: March 30, 2001

Date: July 9, 2004

Title: CRYSTAL STRUCTURE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☒ **Correspondence Address Indication Form Attached.**

**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0	x \$ 18.00
				\$ 0.00
Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0	x \$ 86.00
				\$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)	\$ 0.00
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)	\$ 0.00
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Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)	\$ 0.00
<input type="checkbox"/> Please enter the previously unentered, filed	
<input type="checkbox"/> Submission attached	

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract	-\$ 0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith	

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
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Assignment Recording Fee (\$40.00)	\$ 0.00
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Other:	0.00
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**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: \_\_\_\_\_

*[Handwritten Signature]*



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

BLUNDELL et al.

Atty. Ref.: 620-139; Confirmation No. 4747

Appl. No. 09/820,745

TC/A.U. 1652

Filed: March 30, 2001

Examiner: NASHED, Nashaatt

For: CRYSTAL STRUCTURE

\* \* \* \* \*

July 9, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

Responsive to the Office Action dated June 9, 2004, the applicants elect, with traverse, the subject matter of the Examiner's Group III for further prosecution in the above.

The Examiner has requested to appreciate that the present application contains thirteen (13) claims, as noted in the Filing Receipt filed January 2, 2002 and the Filing Receipt mailed September 18, 2001. Claim 13 is contained on page 319 of the application. The Examiner is specifically requested to restate the Examiner's Groups of subject matter to include claim 13 in a subsequent Action. It is also unclear to the applicants why the Examiner has included claim 11 in a Group V indicated as being drawn "to a computer readable medium" whereas claim 11 is directed to a method for determining the structure of a KPHMT homologue, as opposed to a computer readable

medium. Finally, for completeness, the applicants note that claim 3 provides a method of crystallizing a selenomethionine KPHMT protein, as opposed to the described subject matter of the Examiner's Group I which is "drawn to a crystal of hydroxymethyl transferase". Correction of the record in these aspects is requested.

Reconsideration and withdrawal of the restriction requirement, at least with regard to the subject matter of the Examiner's Groups I-III, is requested as search of all the claimed subject matter would not be an undue burden on the Examiner.

An early and favorable Action on the merits is requested.

The Examiner is requested to return an initialed copy of the PTO-1449 Forms filed June 15, 2001, March 18, 2003 and December 22, 2003, pursuant to MPEP § 609.

The Examiner is requested to confirm the acceptance of the figures filed September 4, 2001, or provide specific objections of the same.

An early and favorable Action on the merits of the claimed invention is requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: 

B. J. Sadoff  
Reg. No. 36,663

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